

MICHAEL F. RAM, SBN 104805
mram@rocklawcal.com
RAM, OLSON, CEREGHINO & KOPCYZNSKI LLP
555 Montgomery Street, Suite 820
San Francisco, California 94111
Telephone: (415) 433-4949
Facsimile: (415) 433-7311
Attorney for Plaintiffs and the Class

G. CHARLES NIERLICH, SBN 196611
gnierlich@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
555 Mission Street, Suite 3000
San Francisco, California 94105-2933
Telephone: (415) 393-8239
Facsimile: (415) 393-8306
Attorney for Defendant
Nissan North America, Inc.

[Additional Counsel on Signature Page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

BRANDON BANKS, ERIN BANKS, and
DAVID SOLOWAY, individually and on behalf
of a class of similarly situated consumers,

Plaintiffs,

v.

NISSAN NORTH AMERICA, INC.,

Defendant.

CASE NO. C 11-2022 PJH

**JOINT STIPULATION AND ~~[PROPOSED]~~
ORDER REGARDING EXECUTED
SETTLEMENT AGREEMENT**

Judge: Hon. Phyllis J. Hamilton

The parties, by and through their undersigned counsel, jointly submit this document to inform the Court that the parties exchanged a signed settlement agreement today and that counsel for Plaintiffs intend to file a motion for preliminary approval of the settlement promptly. In light of the

1 parties' execution of a finalized settlement agreement, the parties hereby stipulate to vacate the
2 existing case schedule as set forth below.

3 WHEREAS, the parties have now finalized and signed a settlement agreement between them;

4 WHEREAS, the parties anticipate that counsel for Plaintiffs will submit the settlement
5 agreement to the Court promptly;

6 WHEREAS, the current pre-trial and trial-related deadlines established by the Court's
7 existing case schedule are no longer necessary in light of the parties' settlement agreement;

8 THEREFORE, the parties jointly stipulate and request that the Court enter the attached
9 proposed order vacating the existing deadlines established by the Court's Case Management and
10 Pretrial Order (Dkt. 135).

11 DATED: December 5, 2014

12 GIBSON, DUNN & CRUTCHER LLP

13 By: /s/

14 TIMOTHY W. LOOSE, SBN 241037
15 tloose@gibsondunn.com
16 GIBSON, DUNN & CRUTCHER LLP
17 333 South Grand Avenue
18 Los Angeles, California 90071-3197
19 Telephone: (213) 229-7000
20 Facsimile: (213) 229-752

21 G. CHARLES NIERLICH, SBN 196611
22 gnierlich@gibsondunn.com
23 GIBSON, DUNN & CRUTCHER LLP
24 555 Mission Street, Suite 3000
25 San Francisco, California 94105-2933
26 Telephone: (415) 393-8239
27 Facsimile: (415) 393-8306

28 *Attorneys for Defendant*

CORY WATSON CROWDER & DEGARIS, P.C.

By: /s/

F. Jerome Tapley (*Pro Hac Vice*)
Email: jtapley@cwcd.com
Hirlye R. "Ryan" Lutz, III (*Pro Hac Vice*)

Email: rlutz@cwcd.com
2131 Magnolia Avenue
Birmingham, AL 35205
Telephone: (205) 328-2200
Facsimile: (205) 324-7896

CARTER WOLDEN CURTIS, LLP
Kirk J. Wolden, SBN 138902
Email: kirk@cwclawfirm.com
Clifford L. Carter, SBN 149621
Email: cliff@cwclawfirm.com
1111 Exposition Boulevard, Suite 602
Sacramento, California 95815
Telephone: (916) 567-1111

RAM, OLSON, CEREGHINO
& KOPCYZNSKI LLP
Michael F. Ram, SBN 104805
Email: mram@rocklawcal.com
Karl Olson, SBN 104760
Email: kolson@rocklawcal.com
555 Montgomery Street, Suite 820
San Francisco, California 94111
Telephone: (415) 433-4949
Facsimile: (415) 433-7311

Attorneys for Plaintiffs and the Class

***Filer's Attestation: Pursuant to Civil L.R. 5-1(i)(3)
regarding signatures, Timothy W. Loose hereby attests
that concurrence in the filing of this document has been
obtained.*

[PROPOSED] ORDER

Good cause having been shown, the Court is advised of the parties' execution of a settlement agreement, and is further advised of Plaintiffs' intention to submit a motion for preliminary approval of class settlement. Accordingly, the Court vacates all existing deadlines set forth in its Case Management and Pretrial Order (Dkt. 135).

DATED: December 8, 2014

The Honorable Phyllis J. Hamilton
United States District Judge

